

CONFIDENTIAL

## Department of State

OUTGOING  
TELEGRAMPAGE 81 STATE 889788  
ORIGIN AF-18

8215 AF1113

INFO AS-81 EXEP-81 AF:P-81 AF:I-81 AF:S-82 BLS-81 /B87 AI

INFO OCT-88 ADS-88 INR-18 CIAE-88 ICA-11 NSAE-88 L-83  
/B84 RDRAFTED BY AF/S:CHANSON;DH  
APPROVED BY AF/S:DSIMPSON  
AF/L:NELY  
L/T:CWILLSON  
FBIS:WLEIN

-----226167 892319Z /65

PR 891904Z APR 81  
FM SECSTATE WASHDC  
TO AMEMBASSY MBABANE PRIORITY  
INFO FBIS WASHDC

CONFIDENTIAL STATE 889788

E.O. 12865: GDS (4/8/87) (SIMPSON, D.)

TAGS: PINT, WZ

SUBJECT: FBIS INSTALLATION

REF: MBABANE 8913

1. (CONFIDENTIAL - ENTIRE TEXT).
2. REGRET DELAYED RESPONSE TO REFTEL.

3. EMBASSY'S PROPOSED TEXT OF BILATERAL AGREEMENT BETWEEN USG AND GOS RE FBIS INSTALLATION HAS BEEN REVIEWED BY FBIS AND STATE LEGAL ADVISORS. FBIS LEGAL ADVISOR WITH CONCURRENCE OF STATE LEGAL ADVISOR SUGGESTS THE FOLLOWING CHANGES BE MADE TO PROPOSED TEXT (CHANGES CORRESPOND TO SUBNUMBERED PARAS OF PARA 4 REFTEL):

-- SUBPARA 1: CHANGE "FROM THE PUBLIC PRESS OF TEN COUNTRIES IN SOUTHERN AFRICA" TO "FROM THE PUBLIC PRESS OF SOUTHERN AFRICAN COUNTRIES". NOTE DELETION OF NUMBER "TEN".

-- SUBPARA 2: CHANGE "THE FBIS WILL ALSO MAKE AVAILABLE FREE OF CHARGE MATERIALS..." TO "THE FBIS WILL ALSO MAKE AVAILABLE FREE OF CHARGE OTHER FBIS MATERIALS..."

-- SUBPARA 3: DELETE WORDS "RESIENT IN SWAZILAND: FROM SENTENCE BEGINNING "BUREAU MAY BE STAFFED BY UP TO FOUR AMERICANS..."

-- SUBPARA 4: CHANGE SENTENCE "ALL UNITED STATES PERSONNEL WILL BE..." TO READ "ALL UNITED STATES PERSONNEL AND MEMBERS OF THEIR FAMILIES WILL BE..."

-- SUBPARA 5: DELETE WORD INCONSPICUOUS (SIC) AND ADD "IN A REASONABLY INCONSPICUOUS MANNER" TO END OF SENTENCE. SUGGESTED VERSION WOULD READ "THE FBIS WILL OPERATE OUT OF SPACE TO BE RENTED IN A COMMERCIAL BUILDING IN MBABANE AND WILL EMPLOY ROOFTOP OR GROUND-LEVEL ANTENNAE IN A REASONABLY INCONSPICUOUS MANNER.

-- SUBPARA 6: ADD "REASONABLE" BETWEEN WORDS "UPON NOTICE". SUGGESTED VERSION WOULD READ "...MAY BE INSPECTED FREELY BY APPROPRIATE SWAZILAND GOVERNMENT OFFICIALS UPON REASONABLE NOTICE TO THE UNITED STATES EMBASSY".

-- SUBPARA 7: CHANGE "NINETY DAYS" TO "SIX MONTHS".

STATE 889788

8215 AF1113

NOTE: FBIS LEGAL ADVISOR SUGGESTS TIME LIMIT TO TERMINATE AGREEMENT BE STRETCHED AS MUCH AS POSSIBLE UP TO DESIRED LIMIT OF SIX MONTHS IF SIX MONTH LIMIT IS UNACCEPTABLE TO GOS.

PLEASE NOTE THAT THESE ARE SUGGESTED CHANGES TO BE PROPOSED TO GOS BUT NOT INSISTED UPON SHOULD GOS STRONGLY DISAGREE.

4. CIRCULAR 175 AUTHORIZATION IS REQUIRED. DEPT. IS PREPARING NECESSARY MEMORANDA NOW AND WILL ADVISE WHEN AUTHORIZATION IS RECEIVED.

5. FBIS/W WISHES TO THANK AMBASSADOR AND AID LEGAL ADVISOR FOR WISELY INCLUDING TELEVISION IN PARA 1 OF PROPOSED TEXT. CLARK

S1 FBIS

State Dept. review completed

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COPY

TELEGRAM

## Department of State

PAGE 01 MBABANE 08913 261726Z  
ACTION AF-18

S209 AF7818

ACTION OFFICE BLS-01  
INFO AS-01 EXEP-01 AF:P-01 AF:I-01 AF:S-01 /006 A1INFO OCT-01 ADS-00 INR-10 CIAE-00 NSAEC-00 L-03 ICAE-00  
/024 W

-----213704 270851Z /46

P R 261530Z MAR 81  
FM AMEMBASSY MBABANE  
TO SECSTATE WASHDC PRIORITY 1689  
INFO FOREIGN BROADCAST INFORMATION SERVICE WASHDC

C O N F I D E N T I A L MBABANE 08913

E.O. 12865: GDS 3/26/87 MATHERON, RICHARD C., OR-M  
TAGS: PINT, WZ  
SUBJECT: FBIS INSTALLATION

REF: (A) STATE 065582, (B) MBABANE 0761

1. (CONFIDENTIAL - ENTIRE TEXT).

2. PARA 4 CONTAINS PROPOSED TEXT PREPARED BY AMBASSADOR  
WITH ASSISTANCE FROM USAID REGIONAL LEGAL ADVISOR. EMBASSY  
DRAWS ATTENTION TO INCLUSION OF TELEVISION IN PARA 1 OF  
PROPOSED TEXT. ALTHOUGH THERE HAS BEEN NO RPT  
NO MENTION OF TELEVISION IN PREVIOUS EXCHANGE OF CABLES WITH  
WASHINGTON, WE NOTE THAT TELEVISION WAS MENTIONED IN SOME  
OF THE MATERIAL PROVIDED IN RELATION TO THE IVORY COAST  
INSTALLATION. AS FAR AS SWAZILAND IS CONCERNED, THERE IS  
OFTEN MORE IMPORTANT COMMENTARY ON TELEVISION THAN ON RADIO;  
ALSO UNDER CERTAIN CONDITIONS IT IS POSSIBLE TO MONITOR SOUTH  
AFRICAN TELEVISION.3. AS NOTED IN REFTEL B, SWAZILAND GOVERNMENT HAS EXPRESSED  
STRONG PREFERENCE FOR BILATERAL AGREEMENT OVER A  
MEMORANDUM OF UNDERSTANDING OR EXCHANGE OF NOTES.  
WE SHOULD ACQUIESCE IF WE REALLY WANT TO GET FINAL  
AGREEMENT. QUESTION ARISES WHETHER AMBASSADOR WILL  
REQUIRE CIRCULAR 175 AUTHORIZATION (11 FAM 700) TO PURSUE  
FURTHER DISCUSSIONS AND NEGOTIATIONS WITH SWAZILAND  
AUTHORITIES. PLEASE ADVISE.

4. EMBASSY'S DRAFT TEXT:

AGREEMENT

BETWEEN

THE GOVERNMENT OF THE UNITED STATES OF AMERICA

AND

THE GOVERNMENT OF THE KINGDOM OF SWAZILAND

FOREIGN BROADCAST INFORMATION SERVICE BUREAU

WHEREAS THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
("UNITED STATES GOVERNMENT") HAS REQUESTED THAT IT BE  
PERMITTED TO ESTABLISH A BUREAU OF THE FOREIGN BROADCAST  
INFORMATION SERVICE ("FBIS") IN THE KINGDOM OF SWAZILAND; ANDWHEREAS THE GOVERNMENT OF THE KINGDOM OF SWAZILAND  
("SWAZILAND GOVERNMENT") HAS GRANTED PERMISSION FOR SAID  
BUREAU TO BE ESTABLISHED; ANDWHEREAS THE FBIS IS ENGAGED SOLELY IN THE REPORTING OF  
DEVELOPMENTS AND COMMENTS FROM PUBLIC INFORMATION MEDIA OF  
VALUE TO THE UNITED STATES FOREIGN AFFAIRS ANALYSTS ANDMBABANE 08913 261726Z  
POLICY MAKERS;

S209 AF7818

NOW THEREFORE, THE PARTIES AGREE THAT:

1. THE UNITED STATES GOVERNMENT MAY ESTABLISH A  
BUREAU OF THE FOREIGN BROADCAST INFORMATION SERVICE IN  
SWAZILAND, WHICH BUREAU WILL MONITOR PUBLIC TELEVISION,  
RADIO AND PRESS AGENCY TRANSMISSIONS AS WELL AS  
SELECTIONS FROM THE PUBLIC PRESS OF TEN COUNTRIES IN  
SOUTHERN AFRICA.2. ALL FBIS MATERIAL MONITORED IN SWAZILAND WILL  
BE AVAILABLE ON A DAILY BASIS TO THE SWAZILAND GOVERNMENT  
FREE OF CHARGE. THE FBIS WILL ALSO MAKE AVAILABLE FREE  
OF CHARGE MATERIALS DESIRED BY THE SWAZILAND GOVERNMENT  
FROM OTHER AREAS OF THE WORLD.3. THE BUREAU MAY BE STAFFED BY UP TO FOUR AMERICANS  
RESIDENT IN SWAZILAND AND 10 TO 15 NON-AMERICANS. TO THE  
GREATEST EXTENT POSSIBLE, THE NON-AMERICANS WILL BE  
RECRUITED IN SWAZILAND, EXCEPT WHERE LINGUISTIC OR TECHNICAL  
CAPABILITIES REQUIRE THEY BE RECRUITED FROM OUTSIDE  
SWAZILAND. FBIS STAFF FROM THE UNITED STATES WILL BE USED  
FROM TIME TO TIME, ON A TEMPORARY BASIS, PARTICULARLY IN THE  
BUREAU'S FORMATIVE STAGES.4. THE BUREAU WILL OPERATE AS A COMPONENT OF THE  
UNITED STATES EMBASSY UNDER THE AUTHORITY OF THE UNITED  
STATES AMBASSADOR. ALL UNITED STATES PERSONNEL WILL BE  
AFFORDED THE SAME PRIVILEGES AND IMMUNITIES AS OTHER  
ADMINISTRATIVE AND TECHNICAL STAFF OF THE EMBASSY.5. THE FBIS WILL OPERATE OUT OF SPACE TO BE RENTED  
IN A COMMERCIAL BUILDING IN MBABANE AND WILL EMPLOY  
INCONSPICUOUS ROOFTOP OR GROUND-LEVEL ANTENNAE.6. IN ORDER TO ASSURE THAT THE AGREED PURPOSES ARE  
BEING ADHERED TO, THE BUREAU OPERATIONS MAY BE INSPECTED  
FREELY BY APPROPRIATE SWAZILAND GOVERNMENT OFFICIALS UPON  
NOTICE TO THE UNITED STATES EMBASSY.7. THIS AGREEMENT MAY BE TERMINATED BY EITHER  
PARTY UPON THIRTY-DAYS NOTICE TO THE OTHER PARTY.

FOR THE GOVERNMENT OF THE KINGDOM OF SWAZILAND: FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

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RICHARD C. MATHERON  
AMBASSADOR.

MATHERON

SECRET

-2-

technical capabilities are not available locally, some employees would have to be recruited from outside Swaziland. The bureau would operate seven days a week with day and evening shifts.

FBIS' affiliation with CIA is a matter of public record and was made known to Deputy Prime Minister Nsibandze in March 1979. FBIS does not publicize its affiliation. FBIS now operates in 14 countries.

The extension will not lead to environmental impacts either within or beyond the U.S. calling for further consideration under the National Environmental Policy Act, Executive Order 12114 on Environmental Effects Abroad of Major Federal Actions or the Department's environmental review regulation and procedures.

RECOMMENDATION:

That you authorize negotiations and conclusion of an agreement along the lines of the attached text subject to approval of changes by the Bureau of African Affairs and the Office of the Legal Adviser.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Attachments:

Tab 1 - Text of Agreement -- Mbabane 913 of 3/26/81 and State 089788 of 4/9/81.

Tab 2 - Memorandum of Law.

CK  
 Drafted:AF/S:CHanson:mo:emb  
 5/15/81:x20916  
 Cleared:AF:HEHoran *REB* DS *CH*  
 AF/S:DSimpson *REB*  
 L/AF:NEly *RE*  
 L/T:CWillson *CH*  
 FBIS: *CH*  
 H:JMorton *CH*  
 AF/EX-RSalazar *CH*  
 MMO-RGMays *CH*

STAT

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